

### **REMARKS**

Applicant respectfully requests reconsideration of this application in view of the foregoing amendment and the following remarks.

#### **Status of the Claims**

Claims 18-36 are pending in this application. Claims 18, 34 and 35 are independent. All of the pending claims stand rejected. By this amendment, claims 1, 34 and 35 have been amended. No new matter has been added by this amendment.

#### **Rejections**

Claims 18-36 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over U.S. Patent No. 5,869,072 to Berry ("Berry") in view of U.S. Patent App. No. 2001/0006680 A1 to Mansouri ("Mansouri") and U.S. Patent No. 4,920,158 to Murray et al. ("Murray") and further supported by applicants' alleged admissions for the reasons of record as set forth in Paragraph No. 3 of the Office Action mailed June 28, 2005.

Claims 19-22 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Berry in view of Mansouri and Murray et al. and further supported by applicants' alleged admissions as applied to claims 18-36, and further in view of U.S. Patent No. 5,357,636 to Dresdner, Jr. ("Dresdner") as set forth in the June 28, 2005 Office Action.

Claims 30 and 36 have been rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over Berry in view of Mansouri and Murray et al. and further supported by applicants' alleged admissions as applied to claims 18-36, and further in view of U.S. Patent No. 6,001,367 to Bazin et al. ("Bazin") as set forth in the June 28, 2005 Office Action.

**Claim Amendments**

Independent claim 18 has been amended to recite that the elastomeric article comprises an elastomeric layer and a coating composition on the skin-contacting surface of the elastomeric layer. Claims 34 and 35 have been similarly amended to recite that the examination glove and surgeon's glove, respectively, have an elastomeric layer and a coating composition on the skin-contacting surface of the elastomeric layer. Thus, applicants are claiming an elastomeric article comprising both an elastomeric layer and a separate coating layer.

The art cited by the U.S. Patent & Trademark Office ("Office") has been applied as set forth in the Office Action of June 28, 2005. In that Office Action, the Office acknowledged that Berry fails to disclose a coating composition comprising polyhydric alcohol as the moisturizer. *See* Office Action (June 28, 2005) at 3. Indeed, Berry only teaches the use of polyvinyl alcohol as a barrier. However, the Office deemed Aloe vera and pantothenol (a polyhydric alcohol) to be "known equivalents in the field of moisturizers/anti-inflammatory agents, as taught by Mansouri." *Id.*

Applicants respectfully disagree with the Office on this point. Mansouri does not teach the use of Aloe vera as a moisturizer. Mansouri teaches the use of Aloe vera as an anti-inflammatory agent:

[0117] viii. Anti-Inflammatory Agent

[0118] The compositions, according to the invention, may optionally comprise an anti-inflammatory agent. Preferred anti-inflammatory agents, under the invention, include extracts of Aloe vera, panthenol, tocopheryl acetate, and tocopheryl linoleate.

U.S. Patent App. Pub. No. US 2001/0006680 A1 at 4.

Applicants respectfully submit that moisturizers and anti-inflammatory agents are completely different products in unrelated fields; there is no “field of moisturizers/anti-inflammatory agents.” Mansouri does not teach the use of Aloe vera as a moisturizer. Therefore, it does not teach that Aloe vera and pantothenol (a polyhydric alcohol) are known equivalents as moisturizers.

Furthermore, Applicants respectfully submit that there would be no motivation to combine Berry and Mansouri because Berry teaches away from Mansouri. Berry teaches that antibacterial chemicals can irritate the skin. *See* Berry at Col. 2:34-40 (“most of the creams and lotions on the market today utilize, of necessity, a preservative of some type, which can be irritating to the skin of the user...a preservative is a chemical that kills or controls bacteria, and the application of such a compound to the skin, while deemed acceptable in limited amounts, is considered a potential hazard over the long term”). However, the invention of Mansouri includes “one or more antimicrobial agents, to prevent the transmission and spread of pathogenic or potentially pathogenic microorganisms.” Mansouri at ¶10. Thus, Berry teaches away from Mansouri.

Finally, both the inventions of Berry and Mansouri have significant disadvantages in medical glove applications. Berry discloses a porous mesh material that would not be effective as a protective medical glove. As to Mansouri, one of skill in the art would know that the ingredients disclosed are not advantageous for a medical glove because they are either powdery or temperature sensitive.

Accordingly, Applicants respectfully submit that the art does not teach or suggest the use of a polyhydric alcohol moisturizer, and the references cannot support a rejection of claims 18-

36. Amended claims 18, 34 and 35 are accordingly believed to be allowable over the cited art of record for at least the reasons discussed above.

Applicants have not individually addressed the rejections of the dependent claims because Applicants submit that the independent claims from which they respectively depend are in condition for allowance as set forth above. Applicants however reserve the right to address such rejections of the dependent claims should such be necessary.

Applicants believe that the application is in condition for allowance and such action is respectfully requested.

**AUTHORIZATION**

This amendment is accompanied by a petition for a three-month extension of time. To the extent that any additional fees are required, Applicants hereby authorize the Commissioner to charge any additional fees or credit any overpayment to Deposit Account No. 13-4500 (Order No. 2877-4040). A DUPLICATE COPY OF THIS SHEET IS ENCLOSED.

An early and favorable examination on the merits is respectfully requested.

Respectfully submitted,  
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